

## **REMARKS**

### **Amendments**

#### ***Amendments to the Claims***

Applicant has amended the claims to more particularly point out that Applicant's claimed encoded instance document comprises a reset field that specifies a next context node in the content description for each context node except a last context node. No new matter has been added as a result of these amendments because the subject matter was part of original dependent claims 18, 36, 54, 72, 90 and 10 and is further disclosed on page 15, lines 12-14 *et seq.*

### **Rejections**

#### ***Rejections under 35 U.S.C. § 101***

Claims 1-108 stand rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter because no practical application is recited. Applicant has amended independent claims 1, 19 and 37 to recite generating an encoded instance document that is a compressed representation of an instance document and independent claims 55, 73 and 91 to recite generating an instance document from values extracted from the compressed representation of the instance document. Because compression and decompression of data are useful, concrete and tangible results, Applicant respectfully submits that the invention as claimed in claims 1-108 does recite a practical application.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 101.

#### ***Rejections under 35 U.S.C. § 103***

**Claims 1-5, 7, 8, 10, 12-14, 16, 19-23, 25, 26, 28, 30-32, 34, 37-41, 43, 44, 46, 48-50, 52, 55-59, 61, 62, 64, 66-68, 70, 73-77, 79, 80, 82, 84-86, 88, 91-95, 97, 98, 100, 102-104 and 106**

Claims 1-5, 7, 8, 10, 12-14, 16, 19-23, 25, 26, 28, 30-32, 34, 37-41, 43, 44, 46, 48-50, 52, 55-59, 61, 62, 64, 66-68, 70, 73-77, 79, 80, 82, 84-86, 88, 91-95, 97, 98, 100, 102-104 and 106 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S.

Patent 6,883,137 to Girardot et al. in view of Applicant's Admitted Prior Art (APA) and U.S. Patent 6,904,562 to Hind et al.

Applicant has amended the independent claims to claim that the encoded instance document comprises a reset field that specifies a next context node in the content description for each context node except a last context node. As admitted by the Examiner, none of the cited prior art teaches or suggest a reset field as claimed.

Accordingly, the combination of Girardot, APA and Hind cannot render obvious Applicant's invention as claimed in claims 1-5, 7, 8, 10, 12-14, 16, 19-23, 25, 26, 28, 30-32, 34, 37-41, 43, 44, 46, 48-50, 52, 55-59, 61, 62, 64, 66-68, 70, 73-77, 79, 80, 82, 84-86, 88, 91-95, 97, 98, 100, 102-104 and 106, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

**Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107**

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107 stand rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Girardot, APA and Hind in view of U.S. Patent 6,772,180 to Li et al.

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107 depend from one of independent claims 1, 19, 37, 55, 73 and 91. Because Girardot, APA and Hind also do not disclose the reset field as claimed in the independent claims, Li must do so to have a proper *prima facie* case of obviousness for the dependent claims. However, Li does not do not teach or suggest an encoded instance document containing a reset field as claimed by Applicant.

Therefore, the combination of Girardot, APA, Hind and Li cannot render obvious Applicant's invention as claimed in claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

**Claims 18, 36, 54, 72, 90 and 108**

Claims 18, 36, 54, 72, 90 and 108 stand rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Girardot, APA and Hind in view of U.S. Patent 6,901,431 to Dodrill et al.

Claims 18, 36, 54, 72, 90 and 108 depend from one of independent claims 1, 19, 37, 55, 73 and 91. The Examiner asserts that because Dodrill allows a user to specify a particular XML document to process, Dodrill discloses a reset field as claimed.

Applicant respectfully reminds the Examiner that Applicant is claiming computerized methods, computer executable instructions, and processors that create a reset field. It is improper for the Examiner to equate the actions of a user that specify an XML document with Applicant's computerized operations that create the claimed reset field.

Furthermore, there is no disclosure in Dodrill that even suggests creating a reset field in an encoded instance document as claimed. Similarly, there is no disclosure in Dodrill that suggests extracting a reset field from an encoded instance document as claimed.

Therefore, the combination of Girardot, APA, Hind and Dodrill cannot render obvious Applicant's invention as claimed in claims 18, 36, 54, 72, 90 and 108, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

**SUMMARY**

Claims 1-108 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

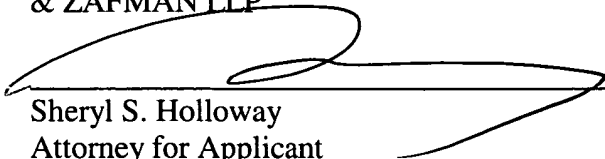
**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR  
& ZAFMAN LLP

Dated: January 3, 2007



Sheryl S. Holloway  
Attorney for Applicant  
Registration No. 37,850

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300 x3476